

Remarks

The Examiner has rejected claims 1-9, 12 and 13 under 35 USC 102(b) as being anticipated by US Patent No. 6,457,295 to Arnold (hereinafter Arnold). The device of Arnold is a baler (1) having an unloading ramp (10) with a weighing device (19) associated therewith. In Arnold the weighing device is not associated with a bale support that supports the bale while it is still in the baling chamber as claimed. The section of the specification of Arnold referenced by the Examiner (column 3, line 66 to col. 5, line 6) clearly indicates that the bale leaves the baling chamber and falls onto the device 10 and that the bale is weighed as the ramp 10 pivots downward. The device of the present invention works differently in that the bale is weighed while it is still in the baling chamber. Once the bale is finished the rollers move beneath the underside of the bale and the sensor measures the weight of the bale. Arnold does not disclose such a structure. Claim 1 has now been amended to more clearly state that the bale support is within the bale chamber. It is therefore submitted that claim 1 is distinguished over the Arnold reference.

Claim 4 also clearly states that the support is located in the bale chamber.

With respect to claim 5 the device 10 of Arnold is not mounted for pivoting about a horizontal, transverse pivot axis which extends in the vicinity of a central axis of a finished cylindrical bale as claimed.

With respect to claim 6 the device 10 of Arnold is not mounted for movement between a bale-forming position, which it occupies during bale formation and in which it is located underneath the cylindrical bale being formed, and a bale ejection position in which the formed cylindrical bale no longer rests on said at least one support element as claimed. In fact the opposite is true of Arnold. In Arnold the support 10 is located under the bale only during ejection not during bale formation.

With respect to claim 7 the device of Arnold is under no circumstances located so as to be above a rear part of a bale formed in said baling chamber.

With respect to claims 8 and 9 Arnold in no way discloses movable sidewalls

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that can be moved apart to facilitate weighing of the bale.

The Examiner has also rejected claims 10 and 11 under 35 USC 103(a) as being unpatentable over Arnold in view of US Patent No. 6,313,414 to Campbell et al. Because claims 10 and 11 depend directly or indirectly from claim 1 it is submitted that claims 10 and 11 are likewise allowable in view of the amendment to claim 1 and the reasons set forth above.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525. Two duplicates of this page are enclosed.

Respectfully,


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